

Amendments to the Drawings

The attached sheets of drawings include FIGs. 1, 2 and 3 labeled as "Conventional Art." FIGs. 1 and 2 have been grouped together in a single sheet. FIG. 8 now shows one of the two elements 808 renumbered as 810.

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-7, 9-10, 12-15, and 17-21 are pending in the application, with 1 and 12 being the independent claims. Claims 8, 11, and 16 are sought to be canceled without prejudice to or disclaimer of the subject matter therein. Claims 1, 4, 7, 9, 12, 14, and 17 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Telephone Interview Summary

Applicants thank the Examiner for his time during a telephone interview on 08/24/2007 with Applicants' representative, Jason D. Eisenberg. During the interview, the Examiner agreed to withdraw the 35 U.S.C. §112, second paragraph, rejection against claim 9.

Objections to the Drawings

In paragraph 2 of the Office Action, FIGs. 1-3 were objected to under 37 C.F.R. § 1.84(h) for allegedly failing to group together and arrange on the sheets without wasting space. Without acquiescing to the Examiner's objection, Applicants herewith submit replacement drawing sheets showing FIGs. 1 and 2 grouped together in a single sheet. Accordingly, withdrawal of this objection is respectfully requested.

In paragraph 3 of the Office Action, the Examiner has objected to FIGs. 1-3.

Applicants have labeled FIGs. 1-3 as "Conventional Art" to overcome this objection.

Accordingly, withdrawal of this objection is respectfully requested.

In paragraph 4 of the Office Action, FIG. 8 was objected to as allegedly failing to comply with 37 C.F.R. § 1.84(p)(4). FIG. 8 has been amended and Applicants herewith submit replacement drawing sheets to overcome this objection. Accordingly, withdrawal of this objection is respectfully requested.

Objections to the Specification

In paragraph 7 of the Office Action, the Examiner has objected to the abstract. The abstract has been accordingly amended in accordance with 37 C.F.R. § 1.72(b) to overcome this objection. Withdrawal of this objection is respectfully requested.

In paragraph 8 of the Office Action, paragraph [0046] is objected to allegedly for incorrectly incorporating by reference an application. Paragraph [0046] has been accordingly amended to overcome this objection. Withdrawal of this objection is respectfully requested.

Objection to the Claims

In paragraph 10 of the Office Action, claims 3 and 8 were objected to under 37 C.F.R. § 1.75(a) for allegedly failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention.

Without acquiescing to the Examiner's objection, claim 3 has been amended to recite:

"[T]he method of claim 1, further comprising using a charge coupled device (CCD) array to perform the capturing step."

Accordingly, reconsideration and withdrawal of this objection is respectfully requested.

Claim 8 has been canceled rendering this objection moot.

Rejection under 35 U.S.C. § 112

In paragraph 12 of the Office Action, claim 9 was rejected under 35 U.S.C. § 112, first paragraph, for allegedly not reasonably providing enablement. As noted above, Applicants' representative conducted a telephone call with the Examiner on August 24, 2007 to discuss this rejection. The Examiner agreed to withdraw this rejection. Thus, the 35 U.S.C. § 112 rejection against claim 9 is moot.

Rejections under 35 U.S.C. § 102 and § 103

Claims 1, 2, 3, 5, 6, 7, 8, 11, 12, 13, 15, 16, 19, 20, and 21 were rejected under 35 U.S.C. § 102(b) allegedly as being anticipated by U.S. Patent No. 6,399,261 to Sandstrom (hereinafter "Sandstrom"). Claims 9, 10, 17, and 18 were rejected 35 U.S.C. § 103 (a) as allegedly being unpatentable over Sandstrom in view of U.S. Patent No. 5,965,330 to Evans *et al.* (hereinafter "Evans").

Applicants respectfully traverse these rejections.

Claim 1 recites features that distinguish over the cited reference. For example, claim 1 recites "blocking a portion of a zero order lobe of a pixel diffraction pattern at the apodized pupil." This feature of claim 1 was substantially found in original claim 9. Claim 12 recites similar distinguishing features to those recited by the method of claim 1.

In paragraph 16 on page 9 of the Office Action, with respect to dependent claim 9, the Examiner explicitly states that Sandstrom does not teach this feature of claim 1. However, the Examiner alleges that this feature is taught in Evans in the 35 U.S.C § 103 rejection against dependent claim 9. The Examiner alleges that in FIGs. 6 and 13, and col. 8, lines 3-4, Evans teaches "blocking a portion of a zero order lobe of a pixel diffraction pattern." Applicants respectfully disagree with the Examiner's understanding of Evans for at least the reasons set forth below.

Evans defines apodization as:

"[A]podization is a process of changing the energy distribution of the point spread function by deliberate manipulation of the aperture function so as to improve image quality." (*See*, col. 6, lines 54-57 of Evans)

Further, Evans notes that "[T]he present invention utilizes amplitude apodization such that the amplitude transmittance aperture function varies from the center to the edge of the aperture...[T]he transmittance starts at 100% at the center of the lens..." (Emphasis added) (*See*, col. 6, lines 59-63 of Evans). That is, Evans modifies the inherent transmittance of a contact lens itself to attain apodization. Also, in the portion of column 8 alleged by the Examiner to teach the distinguishing feature, it states in full:

In profile 60, the transmissivity is 100% until about 0.15 mm then gradually decreases to 20% transmissivity by about 0.79 mm and to 0% transmissivity by about 1.1 mm. In FIG. 7, x equals 10 resulting in pseudo-Gaussian profile 62. In profile 62, the transmissivity remains at 100% until about 0.4 mm, then steeply decreases to 20% transmissivity by about 0.75 mm and to 0% transmissivity by about 0.81 mm. The steep slope of profile 62 more closely simulates a conventional pinhole aperture without having the attendant diffraction problems.

As can be seen from above, in the portion of column 8 alleged by the Examiner to teach the blocking feature, there is no discussion of either a pixel diffraction pattern or

zero order lobes, let alone “blocking of a portion of a zero order lobe of a pixel diffraction pattern,” as recited in claims 1 and 12. Thus, Evans does not overcome the fundamental deficiencies of Sandstrom.

Applicants respectfully assert that neither Sandstrom or Evans teach or suggest blocking of a portion of a zero order lobe of a pixel diffraction pattern_at the apodized pupil, as recited in claims 1 and 12. Therefore, Sandstrom and Evans either considered alone or in combination fail to establish a prima facie case of obviousness for independent claims 1 and 12. Accordingly, Applicants respectfully request that the rejections be reconsidered and withdrawn, and that claims 1 and 12, and their dependent claims, be passed to allowance for at least the reasons presented above and further in view of their own distinguishing features.

Other Matters

Applicants note, with appreciation, the Examiners indication of allowability of claims 4 and 14 if rewritten in independent form. However, Applicants choose not to rewrite claims 4 and 14 at this time.

Conclusion

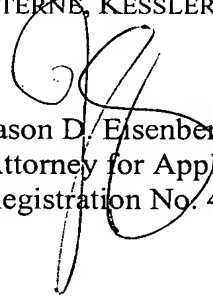
All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will

expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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